

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31459 of 2019

Arising Out of PS. Case No.-330 Year-2018 Thana- ROSERA District- Samastipur

BAIJNATH PASWAN Son of Shital Paswan @ Sital Paswan Resident of
Village - Salkhanni, P.S.- Vibhutipur, Bibhutipur, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Jitendra Kumar Pandey
For the Opposite Party/s	:	Mr. Ajit Kumar
For informant	:	Mrs. Anita Kumari Singh

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

8 28-08-2019 This application, for grant of anticipatory bail, arises out of
Rosera P.S. Case No. 330/2018 G.R. No. 886/18, disclosing offences
under Sections 341, 323, 384, 504, 379/34 of the Indian Penal Code.

Prosecution case is that informant had purchased a pick-up van from the petitioner on the payment of Rs. Fifteen Lakhs out of which Rs. One Lakh fifty Thousand has been paid and around Rs. One Lakh has been deposited as installment by the informant. Further prosecution case is that on 10.09.2018 at about 10 PM at night he was coming to his house then, suddenly in the way near Kalwara School, the petitioner and two others have stopped his vehicle and on point of pistol, the petitioner asked the informant to get down from the vehicle and also snatched Rs. 20,000/- from his pocket and fled away with the vehicle.

Submission of learned counsel for the petitioner is that he



has falsely been implicated in this case at the instance of the informant and the papers of the vehicle are still in possession of the informant and the he has purchased the vehicle on installment and as the informant is driver the papers of vehicle were handed over to him and the allegations are false and concocted. Moreover, dispute between the parties is civil in nature

Heard learned A.P.P. also as well as learned counsel for the informant and they have stated that the witnesses during the investigation in para 11, 12 and 13 of the case diary has supported the allegation that the petitioner in spite of taking money from the informant, has snatched the vehicle.

Having heard both sides, considering the facts and circumstances of the case, I am not inclined to grant the privilege of anticipatory bail to the petitioner rather petitioner may surrender before the court below and make prayer for regular bail and if any such application is filed, the court below will dispose of the same on the merit of the case, without being prejudiced by this order.

This application is, accordingly, dismissed

(Vinod Kumar Sinha, J)

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